

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA	*	CRIMINAL NO. 2:08-CR-311
v.	*	SECTION: I(1)
RAYMOND K. CUCCIA	*	VIOLATION: 18 U.S.C. § 641

* * *

FACTUAL BASIS

_____The Defendant, **RAYMOND K. CUCCIA** (hereinafter “**CUCCIA**”) has agreed to plead guilty as charged to the one-count superseding bill of information charging him with theft of government funds in violation of Title 18, United States Code, Section 641. Should this matter have gone to trial, the government would have proven, through the introduction of competent testimony and admissible, tangible exhibits, the following facts, beyond a reasonable doubt, to support the allegations in the superseding bill of information now pending against the defendant:

Representatives of the States of Louisiana and the United States Department of Housing and Urban Development (“HUD”) would testify that after Hurricanes Katrina and Rita made landfall in Southeastern Louisiana on August 29, and September 24, 2005, respectively, the Congress of the United States of America, with the concurrence, signature, and agreement of the President of the United States, passed an act appropriating government funds to HUD for a Community Development

Block Grant (“CDBG”) for Louisiana hurricane victims. The purpose of this CDBG was to assist and aid owners of property damaged or destroyed by Hurricanes Katrina and Rita in August and September of 2005. The grant money was disbursed under a program known as the Louisiana Road Home Program (the “LRHP”). HUD prepared the rules and regulations governing the disbursement of grant money through the State of Louisiana. The State of Louisiana, through the Office of Community Development, Division of Administration, contracted with ICF International, Inc. (“ICF”) to administer the LRHP. To qualify for the LRHP, homeowners had to have owned and used the affected property as their primary residence at the time of the hurricanes, along with other requirements concerning the size and amount of damage. Eligible homeowners affected by the hurricanes could receive up to \$150,000.00 in compensation for their losses to their primary residence.

A representative of KPMG, an accounting firm hired to conduct an independent audit of government funds disbursed to Hurricanes Katrina and Rita disaster victims via the LRHP, would testify that he referred this matter to the HUD, Office of Inspector General (“HUD-OIG”) after he noted that **CUCCIA** appeared to have applied for a LRHP grant on a property he did not primarily reside in as of the date of Hurricane Katrina. **CUCCIA**, on or about July 20, 2007, applied for financial assistance based on damage suffered as a result of Hurricane Katrina to a residence located at 4579 Pontchartrain Drive, Slidell, Louisiana. In reality, as set forth below, **CUCCIA**’s primary residence at the time of Hurricane Katrina was another residence located at 2408 24th Street, Kenner, Louisiana.

An ICF representative would testify that in reviewing the documentation provided by **CUCCIA** to the LRHP, **CUCCIA** claimed that the address of 4579 Pontchartrain Drive, Slidell,

Louisiana, was his primary residence as of the date of the storm and that the residence sustained substantial damage caused by Hurricane Katrina. Included in the application was a signed certification by **CUCCIA** acknowledging that any false information provided in the application could result in civil and criminal penalties. The closing documents for this LRHP application dated December 19, 2007 that would be introduced into evidence reflect that **CUCCIA** received \$64,320.00 in government funds via the HUD grant that was used to fund the Louisiana Road Home Program.

HUD-OIG agents would testify that they interviewed two neighbors who resided in the properties next to 4579 Pontchartrain Drive, Slidell, Louisiana, the address **CUCCIA** claimed as his primary residence in his July 20, 2007 LRHP application. Each neighbor interviewed advised that during the summer of 2005, when Hurricane Katrina made landfall and damaged the Slidell, Louisiana area, no one lived at this address. Each of the neighbors interviewed by HUD-OIG would also be called to testify as to these facts.

On April 28, 2008, HUD-OIG agents interviewed **CUCCIA** at his primary residence located at 2408 24th St. in Kenner, Louisiana. **CUCCIA** confessed to the HUD-OIG agents that he never lived at the residence or structure located at 4579 Pontchartrain Drive, Slidell, Louisiana and that he claimed LRHP money for this residence because he did not have insurance and he needed the funds to rebuild it. **CUCCIA** admitted lying to the LRHP to obtain LRHP funds and conceded that the information he had provided to the LRHP in his application was false.

CUCCIA's Louisiana Road Home Program application, as well as documents generated by the LRHP and ICF, would be introduced into evidence through competent testimony to further demonstrate the facts stated above.

MATTHEW S. CHESTER
Assistant United States Attorney
Texas Bar No. 24045650

Date

RAYMOND K. CUCCIA
Defendant

Date

PATRICK FANNING
LA Bar Roll No. _____
Attorney for the Defendant

Date